

**STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT**

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IN THE MATTER OF: ROCCO N. GRAZIOSI )  
\_\_\_\_\_)

FILE NO. 0600038

**SUMMARY ORDER OF DENIAL**

TO THE RESPONDENT: Rocco N. Graziosi  
(CRD#:2590696)  
22 Victoria Lane  
Glen Cove, New York 11542

C/o EKN Financial Services, Inc.  
135 Crossways Park Drive  
Woodbury, New York 11797

WHEREAS, on January 18, 2006, EKN Financial Services, Inc., a registered dealer, filed a Form U-4 application for registration of Rocco N. Graziosi (the "Respondent") as a salesperson in the State of Illinois;

WHEREAS, pursuant to the authority granted under Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act"), the Secretary of State has determined that the Respondent's application for registration as a salesperson in the State of Illinois is subject to a Summary Order of Denial;

WHEREAS, the Secretary of State finds that the grounds for such Summary Order of Denial are as follows:

1. That on February 1, 2001, NASD entered a Letter Of Acceptance, Waiver And Consent (AWC) submitted by the Respondent regarding File No. C9B010015, which sanctioned the Respondent as follows:
  - a. Three-month suspension from association with any NASD member in any capacity; and
  - b. \$7,500 fine.

Summary Order of Denial

2. That the AWC found:
  - a. On or about October 14, 1997, the Respondent opened an account in customer JG's name at an NASD member firm. When JG's account was opened, JG resided in the State of Indiana. At the time JG's account was opened, the Respondent was not registered in the State of Indiana to conduct a securities business. On or about November 4, 1997 the Respondent, became registered in the State of Indiana to conduct a securities business, When JG's account was opened, registered representative ES was registered in the State of Indiana to conduct a securities business. In connection with the opening of JG's account, the Respondent arranged for ES to sign ES's name on JG's new account form falsely representing that ES was JG's account executive when in fact the Respondent, and not ES, had introduced JG's account to their NASD member firm. Accordingly, the Respondent failed to provide his NASD member firm with his signature as the registered representative who had introduced JG's account to his NASD member Firm. By reason of the foregoing, the Respondent violated NASD Conduct Rules 2110 and 3110 by causing his NASD member firm to fail to maintain accurate books and records, as required by NASD Conduct Rule 3110 (c)(1)(C) and SEC Rule 17a-3.
  - b. On or about October 15, 1997, the Respondent opened an account in customer PC's name at an NASD member firm. When PC's account was opened, PC resided in the State of Oklahoma. The time PC's account was opened; the Respondent was not registered in the State of Oklahoma to conduct a securities business.

- c. On or about November 5, 1997, the Respondent became registered in the State of Oklahoma to conduct a securities business. When PC's account was opened, registered representative ES was registered in the State of Oklahoma to conduct a securities business. In connection with the opening of PC's account, the Respondent arranged for ES to sign ES's name on PC's new account form falsely representing that ES was PC's account executive when in fact the Respondent, and not ES, had introduced PC's account to their NASD member firm. Accordingly, the Respondent failed to provide his NASD member firm with his signature as the registered representative who had introduced PC's account to his NASD member firm. By reason of the foregoing, the Respondent violated NASD Conduct Rules 2110 and 3110 by causing his NASD member firm to fail to maintain accurate books and records, as required by NASD Conduct Rule 31<sup>10</sup> (c)(1)(C) and SEC Rule 17a-3.
  - d. From in or about October 1997, through in or about December 1997, the Respondent knowingly and improperly used ES's account executive number for the purpose of entering approximately five (5) transactions in PC's account and approximately two (2) transactions in JG's account. By reason of the foregoing, the Respondent violated NASD Conduct Rules 2110 and 3110 by causing his NASD member firm to fail to maintain accurate books and records, as required by NASD Conduct Rule 3110 and SEC Rule 17a-3.
3. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson may be denied if the Secretary of State finds that such salesperson has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self regulatory organization.
  4. That the NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.

Summary Order of Denial

4

5. That by virtue of the foregoing, the Respondent's registration as a salesperson in the State of Illinois is subject to denial pursuant to Section 8.E(1)(j) of the Act.

NOW IT IS **HEREBY ORDERED** THAT:

The Respondent's application for registration as a salesperson in the State of Illinois is **DENIED**, subject to the further Order of the Secretary of State.

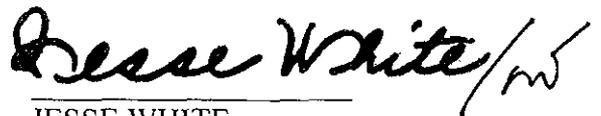
A public hearing will be set within thirty (30) days of the Respondent's filing a written request for hearing with the Secretary of State at 69 west Washington Street, Suite 1220, Chicago, Illinois 60602. Said hearing will be held at the aforesaid address before a Hearing Officer duly designated by the Secretary of State. A copy of the Rules under the Act pertaining to contested cases is attached to this Order.

YOUR FAILURE TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE A SUFFICIENT BASIS TO MAKE THIS ORDER FINAL.

You are further notified that if you request a hearing that you may be represented by legal counsel, may present evidence; may cross-examine witnesses and otherwise participate. Failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

Delivery of this Order or any subsequent notice to the designated representative of any Respondent constitutes service upon such Respondent,

ENTERED: This *28<sup>th</sup>* day of *June* 2006.



JESSE WHITE  
Secretary of State  
State of Illinois

Attorney for the Secretary of State:  
Daniel A. Tunick  
Office of the Secretary of State  
Illinois Securities Department  
69 West Washington Street, Suite 1220  
Chicago, Illinois 60602  
Telephone: (312) 793-3384